

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : D. Hochrainer et al.) Art Unit: 3728
U.S. Appln. No. : To be assigned) Examiner: J. G. Foster
Confirmation No. : To be assigned
U.S. Filing Date : April 1, 2004
Title of Invention : Pressure Compensation Device for a Two-Part Container
Attny. Docket No. : 1/1072 PCT-1-C1

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

April 1, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☒ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☒ The fee set forth in 37 C.F.R. §1.17(p).

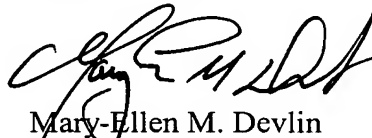
☒ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Mary-ellen M. Devlin
Attorney for Applicant(s)
Reg. No. 27,928

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road, P.O. Box 368
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	To be assigned
		Filing Date	April 1, 2004
		First Named Inventor	D. Hochrainer et al.
		Art Unit	3728
		Examiner Name	J.G. Foster
Sheet 1 of 5	Attorney Docket Number	1/1072 PCT-1-C1	

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 2,669,370	02/16/1954	I.G. Royall, Jr.	
		US- 3,193,993	07/13/1965	R.W. Barton et al.	
		US- 3,255,972	06/14/1996	R. J. Hultgren et al.	
		US- 4,008,820	02/22/1977	J. Ruetz	
		US- 4,045,860	09/06/1977	Richard Winckler	
		US- 4,162,030	07/24/1979	Capra and Antenore	
		US- 4,187,893	02/12/1980	Albert F. Bujan	
		US- 4,264,018	04/28/1981	Thomas C. Warren	
		US- 4,322,020	03/30/1982	Raymond Stone	
		US- 4,457,454	07/03/1984	Philip Meshberg	
		US- 4,457,455	07/03/1984	Philip Meshberg	
		US- 4,469,250	09/04/1984	Paul D. Evezich	
		US- 4,479,989	10/30/1984	Mohan S. Mahal	
		US- 4,817,830	04/04/1989	William M. Yavorsky	
		US- 4,886,177	12/12/1989	Kevin D. Foster	
		US- 5,004,123	04/02/1991	William R. Stooddy	
		US- 5,031,384	07/16/1991	Rebeyroll & Schneider	
		US- 5,038,958	08/13/1991	Gustav H. Dreier	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		EP 0 114 964 A1	08/08/1984	Miles Labs, Inc.		
		EP 0 182 094 A2	05/28/1986	Kautex-Werke-Reinold Hagen		
		EP 0 495 330 A1	07/22/1992	Instituto De Biologia		
		EP 0 812 625 A2	12/17/1997	Tee Enterprises Limited		
		EP 0 621 027 A1	10/26/1994	Automatic Liquid Pkg.		

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STATEMENT BY APPLICANT**

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Sheet

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of

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		US- 5,105,995	04/21/1992	James H. Martin	
		US- 5,158,810	10/27/1992	Tsukasa Oishi, et al.	
		US- 5,176,178	01/05/1993	Schurter & Palmerton	
		US- 5,289,818	03/01/1994	Citterio & Rusconi	
		US- 5,316,221	05/31/1994	Glover and Law	
		US- 5,325,977	07/5/1994	J. L. Haynes et al.	
		US- 5,395,365	03/07/1995	G. H. Weiler et al.	
		US- 5,480,067	01/02/1996	Andreas Sedlmeier	
		US- 5,497,909	03/12/1996	Wirsig & Thompson	
		US- 5,509,564	04/23/1996	Robert D. Knoop	
		US- 5,509,578	04/23/1996	W. Livingstone	
		US- 5,514,123	05/07/1996	Wayne F. Adolf et al.	
		US- 5,520,975	05/28/1996	Fujio Inoue et al.	
		US- 5,579,760	12/03/1996	Dieter Kohler	
		US- 5,242,085	09/07/1993	Richter & Paisley	
		US- 5,332,121	07/26/1994	Schmidt et al.	
		US- 5,642,838	07/01/1997	William R. Stooddy	
		US- 5,772,080	06/30/1998	de Pous and Jouillat	

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		FR 2 762 589	10/30/1998	Sofab Societe Anon.		
		EP 0635254	01/25/1995	Otsuka Pharmaceutical		
		EP 0653359	05/17/1995	Innocos Innovative		
		EP 0654419	05/24/1995	Filoform, B.V.		
		EP 0763482	03/19/1997	Dai Nippon Print. Co.		

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Sheet 3 of 5

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		US- 5,873,491	02/23/1999	Garcia & Decottgnies	
		US- 5,878,915	03/09/1999	F. A. Gordon et al.	
		US- 5,813,570	09/29/1998	Fuchs and Ritsche	
		US- 5,893,484	04/13/1999	Fuchs and Merk	
		US- 5,894,841	04/20/1999	Robert M. Voges	
		US- 5,875,936	03/02/1999	Turbett and Iaia	
		US- 5,910,138	06/08/1999	William A. Sperko et al.	
		US- 5,910,138C	06/08/1999	William A. Sperko et al.	
		US- 5,944,217	08/31/1999	Richard Baena	
		US- 6,062,213	05/16/2000	R. C. Fuisz et al.	
		US- 6,129,236	10/10/2000	Mikhail I. Osokin et al.	
		US- 4,732,299	03/22/1988	Earl E. Hoyt	
		US- 5,242,085	09/07/1993	Richter and Paisley	
		US- 5,332,121	07/26/1994	Steven L. Schmidt et al.	
		US- 5,752,629	05/19/1998	Michael E. Hardy	
		US- 5,752,629C	05/19/1998	Michael E. Hardy	
		US- 5,385,251	01/31/1995	Steven B. Dunn	
		US- 440,316	11/11/1890	J.M.W. Long	

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		WO 95/15895	06/15/1995	Charles Kaeser		
		WO 97/06842	02/27/1997	Pharmasol Limited		
		DE 3446697	06/26/1986	Henkel, KGaA		
		EP 0 368 112	05/16/1990	Bramlage Gesellschaft MIT		

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		EP 0 620 165 A1	10/19/1994	HILTI Aktiengesellschaft		
		EP 0 585 908 A2	03/09/1994	Prazisions-Werkzeuge AG		
		EP 0 368 112 A2	05/16/1990	Bramlage Gesellschaft MIT		
		EP 0 217 425 A1	04/08/1987	Zambon S.p.A.		
		EP 0 532 873 A1	03/24/1993	Gaplast GMBH		

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		EP 0 661 218	07/05/1995	Crown Cork AB		
		FR 1 159 909	07/03/1958	M. Labarre		
		WO 90/06267	06/14/1990	Joseph Parsons Nominees		
		WO 91/14468	10/03/1991	Dunne Miller Weston LTD.		
		WO 93/23165	11/25/1993	F. Leopardi et al.		

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